

Claim Objection

Claims 29 and 42 are objected to based on the inclusion of the word “by.”
Claim 29 was also objected to based on the inclusion of the term “operable.”
Without conceding the propriety of the objections and solely for the purpose of
5 furthering prosecution, Applicant has amended claims 29 and 42 as suggested by
the Office. Removal of the objection is requested and allowance is solicited.

Claim Rejection 35 U.S.C. §112, Second Paragraph

Claims 29 and 42 are rejected based on the inclusion of the phrase “said
10 distributed device.” Without conceding the propriety of the objections and solely
for the purpose of furthering prosecution, Applicant has amended claims 29 and
42. Removal of the objection is requested and allowance is solicited.

Claim Rejection 35 U.S.C. §102

15 Claims 29-65 stand rejected as anticipated under 35 U.S.C. §102(e) over
Hartsell. Applicant traverses the rejection.

In order for a *prima facie* case of anticipation to be proper under 35 U.S.C.
§102(e) the cited document must have been filed before the effective filing date of
the application under examination. In the present case, the Hartsell document has
20 an actual filing date of June 12, 2001 which is after the actual filing date of this
Application, April 13, 2001. Further, Applicant respectfully notes that Hartsell is
a continuation-in-part application of U.S. Patent Application Serial Number
09/797,200 which was filed on March 1, 2001. Thus, Hartsell may include new
matter that was not present in the 09/797,200 Application.

In addition, while the cross-reference portion of the Hartsell document does claim priority to several U.S. Provisional Patent Applications within the March 2000 to May 2001 timeframe, Applicant respectfully notes that this Application claims priority to, and incorporates by reference in their entirety, several U.S. Patent Applications which predate the priority documents on which the Hartsell document relies.

Support for the features included in claims 29-65 may be found throughout the applications, including drawings, to which this Application claims priority and incorporates by reference in their entirety. In particular, support may be found at the following locations in the U.S. Patent Applications to which this Application claims priority. This listing is not exhaustive of all the locations at which support may be found. This list is provided for the Office's convenience. Reference is made to the paragraph numbers appearing in the published applications and page and line numbers in the filed application.

U.S. Patent Application Serial Number 09/538,543

Page 5, lines 1-6; Page 9, lines 3-6 and 21-23; Page 10, lines 16-23; Page 16, lines 1-6; Page 17, lines 1-8; Page 21, lines 5-14; Page 26, lines 8-19; and Page 39, lines 11-18;

U.S. Patent Application Serial Number 09/603,740

Page 13, lines 1-10; Page 14, lines 1-8; Page 21, lines 16-22; page 40, item 4; and page 54, item f;

U.S. Patent Application Serial Number 09/602,789

Page 49, lines 1-9; Page 65, line 3 - Page 66, line 6; Page 68, lines 5-19;

U.S. Patent Application Serial Number 09/539,428

Page 5, lines 6-13 and Page 5, lines 7-22;

U.S. Patent Application Serial Number 09/539,106

Page 36, lines 3-10;

U.S. Patent Application Serial Number 09/602,803

5 Page 24, lines 4-18; Page 47, line 14 - Page 48, line 19; and

U.S. Patent Application Serial Number 09/794,969

Paragraphs: [0048]-[0050], [0062], and [0071].

For at least the foregoing reasons, removal of the pending rejection is
10 requested and allowance is solicited.

Conclusion

Applicant requests reconsideration of all stated rejections, and requests
issuance of a Notice of Allowability. If the Office's next anticipated action is to
15 be anything other than issuance of a Notice of Allowability, Applicant respectfully
requests a telephone call for the purpose of scheduling an interview.

Respectfully submitted,

20 Dated: 3/27/10

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